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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/926,589	11/21/2001	Olivier Rousseaux	P67341US0	1439

136 7590 09/21/2004

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EXAMINER

HARTLEY, MICHAEL G

ART UNIT PAPER NUMBER

1616

DATE MAILED: 09/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Response to Rule 312 Communication	Application No. 09/926,589	Applicant(s) ROUSSEAU ET AL.	
	Examiner Michael G. Hartley	Art Unit 1616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

1. ☒ The amendment filed on 17 June 2004 under 37 CFR 1.312 has been considered, and has been:

- a) ☐ entered.
- b) ☐ entered as directed to matters of form not affecting the scope of the invention.
- c) ☐ disapproved because the amendment was filed after the payment of the issue fee.

Any amendment filed after the date the issue fee is paid must be accompanied by a petition under 37 CFR 1.313(c)(1) and the required fee to withdraw the application from issue.

- d) ☒ disapproved. See explanation below.
- e) ☐ entered in part. See explanation below.

The request under 1.132 to include a completed form PTO-1449 that was alleged to be filed on January 22, 2002 is disapproved because the PTO's records do not support the filing of said PTO-1449 (IDS). There are no records in PALM or in the file history to support that said IDS was filed prior to the notice of allowance. Telephone calls were made to William Player, Applicant's representative, including on 9/13/2004, to request a Post card receipt as evidence of filing the IDS. Mr. Player could not provide a Post card receipt at this time. Since there is no evidence to support the filing of said IDS, the request has been disapproved.

Gary L. Kunz
GARY KUNZ
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Michael G. Hartley
Primary Examiner
Art Unit: 1616